

Docket Number: T10-0047
Bench Date: 02/09/2011
Deadline: N/A

M E M O R A N D U M

TO: The Commission

FROM: Michael E. Stead, Rail Safety Program Administrator

DATE: January 24, 2011

SUBJECT: BNSF Railway Company, the City of Beardstown in Cass County, the City of Jacksonville in Morgan County, Neponset Township in Bureau County, the City of East Dubuque in Jo Daviess County and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding improving public safety at the following highway-rail grade crossings of the BNSF Railway Company's track(s) in Illinois: 4th Street, Beardstown (AAR/DOT #078 339K, railroad milepost 116.96); Walnut Street, Jacksonville (AAR/DOT #078 479M, railroad milepost 9.62); TR 329, near Neponset (AAR/DOT #079 715T, railroad milepost 121.96); and, 4th Street, East Dubuque (AAR/DOT #306 926S, railroad milepost 184.70).

RECOMMENDATION: Enter Supplemental Order granting an extension of time to complete work required by the original Order.

On April 21, 2010, the Illinois Commerce Commission entered its original Order in the above captioned matter. The BNSF Railway Company was required and directed to renew surfaces at the 4th Street crossing in Beardstown, the Walnut Street crossing in Jacksonville, the TR 329 crossing near Neponset and the 4th Street crossing in East Dubuque. The Order contains a division of cost among the parties and all work was to be completed by January 21, 2011.

On January 7, 2011, the Company filed a Supplemental Petition requesting an extension of time, to and including April 21, 2011, to complete the surface renewal work at the 4th Street crossing in Beardstown. The Company states that all the surface renewals have been completed except for the 4th Street crossing in Beardstown, and that the delay resulted from recent equipment and manpower constraints.

Commission staff has reviewed the original Order and the Supplemental Petition and is of the opinion that the request for an extension of time until April 21, 2011 to complete the work at the 4th Street crossing in Beardstown is fair and reasonable and should be

granted. There are no other changes to the original Order and this Supplemental Order affirms that original Order. I recommend the attached Supplemental Order be entered without hearing.

Attachment
DSD